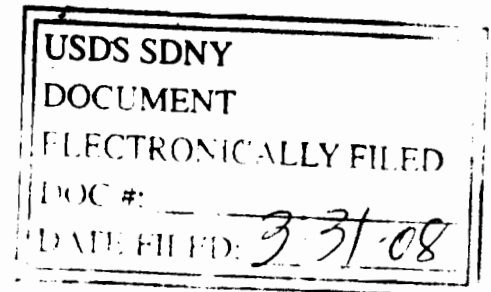


Donald Yannella, P.C.  
Attorney at Law  
7 Dey Street, Suite 803  
New York, NY 10007

(212) 226-2883  
fax: (212) 226-2861

Admitted in NY & NJ



VIA FACSIMILE: (212) 805-6382

March 30, 2008

Hon. Victor Marrero  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: US v. Javier Sanchez, Frank Tejada, et. al.  
07 Cr. 502 (VM)

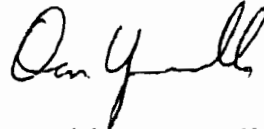
Dear Judge Marrero:

I am counsel for Javier Sanchez, who was scheduled to be sentenced on March 28, 2008. After consultation with AUSA Rua Kelly regarding dates, I respectfully request that a Fatico hearing be scheduled on one of the following dates, if convenient to the Court: April 14, 17, 21, 22, or 24, 2008.


A safety valve proffer already occurred, and Mr. Sanchez wishes to testify before Your Honor regarding his role in the offense and his eligibility for safety valve. Between direct and cross examination, AUSA Kelly and I think we need two hours, although it potentially could take less time.

We respectfully request that, after the Fatico hearing, the case be scheduled for sentencing a couple of weeks later. Thank you.

Sincerely,



Donald J. Yannella, Esq.

Request GRANTED. The <u>Fatico hearing</u>	
conference herein is rescheduled to <u>4-17-08</u>	
at <u>3:00 p.m.</u>	
SO ORDERED.	
<u>3-31-08</u>	
DATE	VICTOR MARRERO, U.S.D.J.

### Declaration of Service

Donald Yannella, an attorney duly admitted to practice law in the United States District Court, Southern District of New York, pursuant to 28 U.S.C. § 1746, declares under penalty of perjury that the following is true and correct:

Today, I served a copy of the attached document upon the following individuals via fax:

AUSA Rua Kelly  
One St. Andrew's Plaza  
New York, NY 10007  
Via fax: 212 637-0421

Dated: March 30, 2008

  
\_\_\_\_\_  
Donald Yannella, Esq. (DJY-7350)